

# UTILITY PATENT APPLICATION 16523 U.S. TRANSMITTAL

(For new nonprovisional applications under 37 CFR 1.53(b))



112503

Attorney Docket No. **P31817C3**  
First Named Inventor or Application Identifier  
**Giardina, et al.**

## "EXPRESS MAIL CERTIFICATE"

"EXPRESS MAIL" MAILING LABEL NUMBER **EV332943741US** DATE OF DEPOSIT: **November 25, 2003**

I hereby certify that this paper or fee and the papers indicated as being transmitted herewith are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date and with the Mailing Label Number indicated above and addressed to: COMMISSIONER FOR PATENTS, MAIL STOP: PATENT APPLICATION, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450.

NAME OF PERSON MAILING PAPER OR FEE

(TYPE OR PRINT) Diane Halate

SIGNATURE Diane Halate

22141 U.S. PTO  
10/721644

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APPLICATION ELEMENTS <i>See MPEP chapter 600 concerning utility patent application contents.</i>	
1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to Deposit Account No. <u>19-2570</u> <input checked="" type="checkbox"/> General Authorization to charge any and all fees under 37 CFR 1.16 or 1.17, including petitions for extensions of time, relating to this application. (37 CFR 1.136(a)(3)) <i>(Submit an original, and a duplicate for fee processing)</i>	7. <input checked="" type="checkbox"/> The Title of the Invention: <b>QUINOLINE-4-CARBOXAMIDE DERIVATIVES AS NK-2 AND NK-3 RECEPTOR ANTAGONISTS</b>
2. <input checked="" type="checkbox"/> The total fee is calculated as shown below: Basic Filing fee \$770.00 Total Claims 17 - 20 = 0 x \$18 \$ 0.00 Independent Claims 2 - 3 = 0 x \$80 \$ 0.00 <input type="checkbox"/> Multiple Dependent Claim present. \$270 TOTAL FILING FEE \$770.00 <input type="checkbox"/> Cancel in this application original claims to of the prior application before calculating the filing fee. <input checked="" type="checkbox"/> Charge \$710.00 to the above indicated Deposit Account.	8. <input type="checkbox"/> Nucleotide and/or Amino Acid Sequence Submission a. <input type="checkbox"/> Computer Readable Copy b. <input type="checkbox"/> Paper Copy (identical to computer copy) c. <input type="checkbox"/> Statement verifying identity of above copies d. <input type="checkbox"/> Use the identical computer-readable form filed in Application No. , filed as the computer-readable form for the instant application. (37 CFR 1.821(e))
3. <input checked="" type="checkbox"/> Specification excluding Drawings [Total Pages] <u>45</u>	9. <input type="checkbox"/> ACCOMPANYING APPLICATION PARTS a. <input type="checkbox"/> Information Disclosure Statement (IDS) b. <input type="checkbox"/> PTO-1449 c. <input type="checkbox"/> Copies of all IDS Citations
4. <input type="checkbox"/> Drawing(s) (35 USC 113) [Total Sheets]	10. <input type="checkbox"/> Assignment Papers (cover sheet & document(s))
5. <input checked="" type="checkbox"/> Declaration and Power of Attorney [Total Pages] <u>3</u> a. <input type="checkbox"/> Newly executed (original or copy) b. <input checked="" type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) <i>(for continuation/divisional with Box 17a completed)</i> c. <input type="checkbox"/> Unsigned Declaration <i>[Note Box 6 below]</i> i. <input type="checkbox"/> DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).	11. <input checked="" type="checkbox"/> Prior Application is Assigned to: <u>SmithKline Beecham SpA, Italy</u> <u>Reel/Frame: 010799 / 0396</u> <i>(for continuation/divisional with Box 17a completed)</i>
6. <input checked="" type="checkbox"/> Incorporation By Reference <i>(useable if Box 5b is checked)</i> The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 5b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.	12. <input checked="" type="checkbox"/> Preliminary Amendment [Total Pages] 13. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) <i>(Should be specifically itemized)</i> 14. <input type="checkbox"/> Certified Copy of Priority Document(s) <i>(if foreign priority is claimed)</i> 15. <input checked="" type="checkbox"/> Transfer all references cited by Applicants or by the Examiner from the parent Application Serial No. <u>10/052,925</u> filed <u>January 16, 2002</u> . A PTO-1449 listing the references is enclosed. 16. <input type="checkbox"/> Other:

17. ☒ Priority Information, check appropriate box and supply the requisite information

a. The accompanying application is a ☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of application Serial No. 10/052,925 filed January 16, 2002, which is a continuation of Serial No. 09/424,122 filed May 18, 1998, which is 371 of International Application No. PCT/EP98/03014 filed May 18, 1998.

b. ☐ Benefit is claimed under Title 35, United States Code, Section 119(e) of the following Provisional Applications:  
Application No. filed

c. ☒ Please amend the specification by inserting before the first line the sentence: (37 CFR 1.78)  
This is a continuation of application Serial No. 10/052,925 filed January 16, 2002, which is a continuation of Serial No. 09/424,122 filed May 18, 1998, which is 371 of International Application No. PCT/EP98/03014, filed May 18, 1998.

18. CORRESPONDENCE ADDRESS Address <b>SMITHKLINE BEECHAM CORPORATION</b> <b>Corporate Intellectual Property - UW2220</b> <b>P.O. Box 1539</b> <b>King of Prussia, PA 19406-0939</b> Telephone <b>(610) 270-5044</b> Fax <b>(610) 270-5090</b>	19. RESPECTFULLY SUBMITTED. Signature <u>Nora Stein-Fernandez</u> Name <b>Nora Stein-Fernandez</b> Registration No. <b>36,689</b>
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## DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

QUINOLINE-4-CARBOXAMIDE DERIVATIVES AS NK-2 AND NK-3 RECEPTOR ANTAGONISTS

the specification of which (check one)

☐ is attached hereto.

☒ was filed on 18 May 1998 as Serial No. PCT/EP98/03014  
and was amended on (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed.

## Prior Foreign Application(s)

Number	Country	Filing Date	Priority Claimed
9710750.2	GB	23 May 1997	Yes
MI97A002354	Italy	17 October 1997	Yes
MI97A002775	Italy	16 December 1997	Yes

I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below.

Application Number	Filing Date
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I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

Serial No.	Filing Date	Status
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I hereby appoint the practitioners associated with the Customer Number provided below to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and direct that all correspondence be addressed to that Customer Number:

Customer Number 20462.

Address all correspondence and telephone calls to Nora Stein-Fernandez, SmithKline Beecham Corporation, Corporate Intellectual Property-U.S., UW2220, P.O. Box 1539, King of Prussia, Pennsylvania 19406-0939, whose telephone number is 610-270-5044.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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Inventor's Signature: Giuseppe Arnaldo Giardina Date: November 15<sup>th</sup> 1999

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Inventor's Signature:  Date: 11<sup>th</sup> November 1999

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